

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF GEORGIA
GAINESVILLE DIVISION**

NYDIA TISDALE,)	
)	
Plaintiff,)	
)	Case No. 2:16-cv-00092-RWS
v.)	
)	
CAPTAIN HENRY ANTHONY)	JURY TRIAL DEMANDED
WOOTEN, in his individual capacity,)	
CORPORAL LAURA BISHOP, in her)	
individual capacity, CORPORAL)	
RUSSELL SMITH, in his individual)	
capacity,)	
)	
Defendants.)	

JOINT STATUS REPORT

Plaintiff Nydia Tisdale (“Ms. Tisdale”) filed this action seeking relief pursuant to 42 U.S.C. § 1983, alleging (among other claims) that Defendants maliciously prosecuted and falsely arrested her, in violation of her rights under the Fourth and Fourteenth Amendments to the United States Constitution.¹ Defendants moved to stay the case pending final disposition of criminal charges that were filed against Ms. Tisdale relating to the same events that gave rise to those claims.² Ms. Tisdale did not oppose the stay.³ The Court granted Defendants’ motion and stayed

¹ Dkt. 1, ¶¶ 76-87, 104-111.

² Dkt. 20, *passim*.

³ Dkt. 22, *passim*

“all proceedings in this action . . . pending disposition of [the] criminal charges against the Plaintiff that form the basis for the Complaint in this case.”⁴ In the same Order, the Court instructed Ms. Tisdale to “notify the Court upon final disposition of the criminal charges against her”⁵ On January 9, 2019, the Court instructed the parties to file a status report regarding the matter.⁶

There has not yet been a final disposition of one of the criminal charges against Ms. Tisdale involving the events that gave rise to the claims she asserts in this matter. Ms. Tisdale’s criminal trial concluded approximately a year ago. She was acquitted of most of the charges against her, but the jury found her guilty of a single count of misdemeanor obstruction of a law enforcement officer. Ms. Tisdale has filed an appeal from that conviction, based in part on the inconsistency of the jury’s verdict. But that appeal has not yet been decided. Appellate counsel advises that disposition of Ms. Tisdale’s appeal of her misdemeanor conviction will take approximately one year, barring additional appellate proceedings. Thus, there has not yet been a complete and final disposition of the criminal charges related to the claims Ms. Tisdale asserts in this case. As the Court previously ordered, Ms.

⁴ Dkt. 23 at 1.

⁵ *Id.*

⁶ Dkt. 30.

Tisdale will notify the court promptly upon final disposition of all criminal charges filed against her.

Respectfully submitted this 14th day of January, 2019.

/s/ Michael A. Caplan

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